



OLR RESEARCH REPORT

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STATES WITH SPECIFIC DOMESTIC VIOLENCE CRIMES

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You asked whether other states have specific domestic violence crimes. We understand this to mean crimes specifically targeted to people generally in a familial, household, or intimate relationship.

SUMMARY

Except for sexual assault in a spousal or cohabiting relationship ([CGS § 53a-70b](#)), Connecticut does not have specific crimes addressing domestic violence. Instead, conduct considered domestic violence is punished under generally applicable criminal statutes, such as the assault statutes, when the offender and victim have a familial, household, or intimate relationship.

We found 26 states with specific crimes that penalize domestic violence. Most states, such as Arkansas, define the elements of the domestic violence crime in each statute. Other states, such as Maine, define the domestic violence crime by requiring commission of a generally applicable crime (like assault) against certain victims (such as family or household members).

The domestic violence crimes in these 26 states cover a wide range of conduct and have a wide range of penalties. The penalties generally vary based on the conduct involved or an offender's prior convictions. In addition, some states have enhanced penalty statutes that penalize offenders with multiple domestic violence convictions. For

example, Colorado’s habitual domestic violence offender statute enhances penalties for someone with certain convictions that include underlying facts of domestic violence. We include these statutes in our report.

STATES WITH SPECIFIC DOMESTIC VIOLENCE CRIMINAL STATUTES

Table 1 displays the states, in alphabetical order, with specific domestic violence crimes, the name of each crime, and the conduct each punishes. We also include the basic criminal penalties for each statute. Other penalties may apply such as restitution, required counseling, and loss of firearms and the right to possess them.

Table 1: Specific Domestic Violence Crimes in Other States

State (citation)	Crime	Conduct	Criminal Penalty
Alabama (Ala. Code 13A-6-130 et seq.)	1 st degree domestic violence	Committing 1 st degree assault or aggravated stalking against certain victims	<ul style="list-style-type: none"> 1st conviction: class A felony (10 to 99 years in prison, a fine of up to \$60,000, or both) Subsequent conviction: minimum one year in prison without release Crime committed in willful violation of a protective order: minimum two years in prison without release
	2 nd degree domestic violence	Committing various crimes against certain victims	<ul style="list-style-type: none"> 1st conviction: class B felony (two to 20 years in prison, a fine of up to \$30,000, or both) Subsequent conviction: minimum six months in prison without release Crime committed in willful violation of a protective order: minimum one year in prison without release
	3 rd degree domestic violence	Committing various crimes against certain victims	<ul style="list-style-type: none"> 1st conviction: class A misdemeanor (up to one year in prison, a fine of up to \$6,000, or both) Second conviction: minimum 10 days in prison without release Third or subsequent conviction: class C felony (one year and a day up to 10 years in prison, a fine of up to \$15,000, or both) If willfully violate a protective order in committing the crime: minimum 30 days in prison without release
	Domestic violence by strangulation or suffocation	Assaulting certain victims with intent to harm or menacing by strangulation or suffocation	Class B felony (see penalty above)

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
Arizona (Ariz. Rev. Stat. § 13-3601 et seq.)	Aggravated domestic violence	Committing three or more generally applicable crimes against certain victims within seven years	<ul style="list-style-type: none"> • Class 5 felony (penalties vary based on Arizona's sentencing guidelines) • If two prior convictions in seven years: must serve at least four months in prison without release • If at least three prior convictions in seven years: must serve at least eight months in prison without release
Arkansas (Ark. Code § 5-26-303 et seq.)	1 st degree domestic battering	When the victim is a family or household member: <ul style="list-style-type: none"> • Intentionally causing serious physical injury with a deadly weapon or serious and permanent disfigurement • Causing serious physical injury with extreme indifference to human life • Knowingly causing serious physical injury when the victim is age 60 or older or age 12 or younger Committing 2 nd or 3 rd degree domestic battering with two prior convictions of domestic battery	<ul style="list-style-type: none"> • Class B felony (five to 20 years in prison, a fine of up to \$15,000, or both) • Class A felony (six to 30 years in prison, a fine of up to \$15,000, or both) if committed against a woman he or she knows or should know is pregnant or after a prior domestic battering conviction in the last five years
	2 nd degree domestic battering	When the victim is a family or household member: <ul style="list-style-type: none"> • Intending to cause physical injury and causing serious physical injury or a physical injury with a deadly weapon • Recklessly causing serious physical injury with a deadly weapon • Knowingly causing physical injury when the victim is age 60 or older or age 12 or younger 	<ul style="list-style-type: none"> • Class C felony (three to 10 years in prison, a fine of up to \$10,000, or both) • Class B felony (see penalty above) if committed against a woman he or she knows or should know is pregnant or after a prior domestic battering conviction in the last five years or two battery convictions in the past 10 years
	3 rd degree domestic battering	When the victim is a family or household member: <ul style="list-style-type: none"> • Intending to cause and actually causing physical injury • Recklessly causing physical injury • Negligently causing physical injury with a deadly weapon • Administering a drug or substance without consent to cause stupor, unconsciousness, physical or mental impairment, or injury 	<ul style="list-style-type: none"> • Class A misdemeanor (up to one year in prison, a fine of up to \$2,500, or both) • Class D felony (up to six years in prison, a fine of up to \$10,000, or both) if committed against a woman he or she knows or should know is pregnant or after a prior domestic battering or aggravated assault on a family or household member conviction in the last five years or two battery convictions in the past 10 years

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Aggravated assault on a family or household member	Intentionally engaging in conduct that creates a substantial danger of death or serious physical injury to a family or household member with extreme indifference to human life	Class D felony (see penalty above)
	1 st degree assault on family or household member	Recklessly causing a substantial risk of death of serious physical injury to a family or household member	Class A misdemeanor (see penalty above)
	2 nd degree assault on family or household member	Recklessly causing a substantial risk of physical injury to a family or household member	Class B misdemeanor (up to 90 days in prison, a fine of up to \$1,000, or both)
	3 rd degree assault on family or household member	Creating apprehension of imminent physical injury in a family or household member	Class C misdemeanor (up to 30 days in prison, a fine of up to \$500, or both)
California (Cal. Penal Code § 273.5)		Willfully inflicting corporal injury resulting in trauma on certain victims	<ul style="list-style-type: none"> Two, three, or four years in prison or up to one year in county jail; up to a \$6,000 fine; or both (the same prison term but a fine up to \$10,000 applies if the person has a prior conviction of certain crimes in the past seven years) If one prior conviction of certain crimes in the prior seven years: two, four, or five years in prison or up to one year in county jail; up to a \$10,000 fine; or both Other sentencing provisions apply
Colorado (Colo. Rev. Stat. § 18-6-801)	Habitual domestic violence offender	Misdemeanor conviction with underlying facts of domestic violence with three prior felony, misdemeanor, or municipal convictions that included acts of domestic violence	Class 5 felony (presumptive range of one to three years in prison)
Idaho (Id. Stat. § 18-918)	Felony domestic battery	Committing the crime of battery and inflicting a traumatic injury on a household member	<ul style="list-style-type: none"> 1st conviction: up to 10 years in prison, a fine of up to \$10,000, or both 2nd conviction in 15 years: up to 10 years in prison, a fine of up to \$10,000, or both Penalties doubled if a child was present

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Misdemeanor domestic assault or battery	Committing the crime of assault or battery without causing traumatic injury to a household member	<ul style="list-style-type: none"> • 1st conviction: up to six months in prison, a fine of up to \$1,000, or both • 2nd conviction in 10 years: up to one year in prison, a fine of up to \$2,000, or both • 3rd conviction in 15 years: up to five years in prison, a fine of up to \$5,000, or both • If felony domestic violence conviction within prior 15 years: up to 10 years in prison, a fine of up to \$10,000, or both • Penalties doubled if a child was present
Illinois (720 ILCS 5/12-3.2 et seq.)	Domestic battery	Knowingly causing bodily harm to or making physical contact of an insulting or provoking nature with a family or household member	<ul style="list-style-type: none"> • Class A misdemeanor (up to one year in prison, a fine of up to \$2,500, or both) • If prior conviction of this crime, violating a protective order, or certain other crimes: class 4 felony (one to three years in prison, a fine of up to \$25,000, or both); mandatory 72 hours in prison; and mandatory 10 days in prison, 300 hours of community service, or both if committed with a child present
	Aggravated domestic battery	Committing domestic battery and (1) strangling the victim or (2) knowingly causing great bodily harm or permanent disability or disfigurement	<ul style="list-style-type: none"> • 1st conviction: class 2 felony (three to seven years in prison, a fine of up to \$25,000, or both), mandatory 60 days in prison as a condition of probation or conditional discharge • Subsequent conviction: mandatory three to seven years or extended term of seven to 14 years • Mandatory 10 days in prison, 300 hours of community service, or both if committed with a child present
	Interfering with reporting domestic violence	Committing domestic violence and knowingly preventing or attempting to prevent the victim or a witness from calling 9-1-1, obtaining medical assistance, or reporting to law enforcement	Class A misdemeanor (see penalty above)

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Disclosing location of domestic violence victim	Disclosing the location of a domestic violence victim without the person's authorization knowing it will or has the substantial likelihood of resulting in the threat of bodily harm	Class A misdemeanor (see penalty above)
Indiana (Ind. Code § 35-42-2-1.3)	Domestic battery	Knowing and internally touching certain victims in a rude, insolent, or angry way that causes bodily injury	<ul style="list-style-type: none"> • 1st conviction: class A misdemeanor (up to one year in prison, a fine of up to \$5,000, or both) • 2nd conviction: class D felony (six months to three years in prison, a fine of up to \$10,000, or both) • If knowingly committed in a child's presence: class D felony

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
Iowa (Iowa Code 108.2A)	Domestic abuse assault	Committing the crime of assault against certain victims	<ul style="list-style-type: none"> • 1st conviction (minimum two days in prison): <ul style="list-style-type: none"> ○ Simple misdemeanor (up to 30 days in prison, a fine of \$65 to \$625, or both) ○ Serious misdemeanor (up to one year in prison, a fine of \$315 to \$1,825, or both) if caused bodily injury or mental illness ○ Aggravated misdemeanor (up to two years in prison, a fine of \$625 to \$6,250, or both) if done with intent to inflict serious injury; using or displaying a dangerous weapon; or knowingly, impeding breathing or blood circulation • 2nd conviction (minimum two days in prison): <ul style="list-style-type: none"> ○ Serious misdemeanor if the current and prior offenses were simple misdemeanors ○ Aggravated misdemeanor if the (1) first offense was a simple or aggravated misdemeanor and the second would otherwise be a serious misdemeanor or (2) first offense was a serious or aggravated misdemeanor and the current would otherwise be a simple or serious misdemeanor • Subsequent conviction (minimum one year in prison): class D felony (up to five years in prison, a fine of \$750 to \$7,500, or both) • Any offense if knowingly impeding breathing or blood circulation: class D felony

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
Kansas (KS St. 21-5414)	Domestic battery	<ul style="list-style-type: none"> Knowingly or recklessly causing bodily harm to a family or household member Knowingly causing physical contact to a family or household member in a rude, insulting, or angry manner 	<ul style="list-style-type: none"> 1st conviction: class B person misdemeanor, punishable by 48 hours to six months in prison, a fine of \$200 to \$500, or both 2nd conviction: class A person misdemeanor, punishable by 90 days to one year in prison (five days mandatory minimum), a fine of \$500 to \$1,000, or both Subsequent: person felony, punishable by 90 days to one year in prison (90 days mandatory minimum), a fine of \$1,000 to \$7,500, or both
Louisiana (La. Rev. Stat. §§ 14:35.3 and 37.7)	Domestic abuse battery	Intentionally using force or violence against a household member	<ul style="list-style-type: none"> 1st conviction: 30 days to six months in prison with a 48 hour mandatory minimum, a fine between \$300 and \$1,000, or both 2nd conviction: 60 days to six months in prison with a 14 day mandatory minimum, a \$750 to \$1,000 fine, or both 3rd conviction: mandatory one year with up to five years in prison and a \$2,000 fine Subsequent conviction: three year mandatory minimum with between 10 and 30 years in prison with hard labor and a \$5,000 fine Other sentencing provisions apply and higher mandatory sentences may apply, including when a child was present during the crime or the victim was pregnant
	Domestic abuse aggravated assault	Assaulting a household member with a dangerous weapon	<ul style="list-style-type: none"> One to five years in prison at hard labor and a fine of up to \$5,000 Two year mandatory minimum if a child was present
Maine (Me. Rev. Stat. 17-A, §§ 207-A, 209-A, 210-B,	Domestic violence assault	Committing the crime of assault against a family or household member	<ul style="list-style-type: none"> Class D crime (up to one year in prison, a fine of up to \$2,000, or both)
	Domestic violence criminal threatening	Committing the crime of criminal threatening against a family or household member	<ul style="list-style-type: none"> Class C crime (up to five years in prison, a fine

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
210-C, 211-A)	Domestic violence terrorizing	Committing the crime of terrorizing against a family or household member	of up to \$5,000, or both) if certain prior convictions
	Domestic violence stalking	Committing the crime of stalking against a family or household member	
	Domestic violence reckless conduct	Committing the crime of reckless conduct against a family or household member	
Michigan (Mich. Comp. Laws § 750.81)	Domestic assault	Committing assault or assault and battery against certain victims	<ul style="list-style-type: none"> • 1st conviction: misdemeanor, punishable by up to 93 days in prison, a fine of up to \$500, or both • If prior conviction of this or certain other crimes: up to one year in prison, a fine of up to \$1,000, or both • If two prior convictions of this or certain other crimes: felony, punishable by up to two year in prison, a fine of up to \$2,500, or both (on April 1, 2013 these penalties increase to up to five years in prison, a fine of up to \$5,000, or both)
Mississippi (Miss. Code 97-3-7)	Simple domestic violence	Committing simple assault against certain victims	<ul style="list-style-type: none"> • 1st or 2nd conviction: up to six months in prison, a fine of up to \$500, or both • Subsequent conviction: felony, punishable by five to 10 years in prison
	Aggravated domestic violence	Committing aggravated assault against or strangling or attempting to strangle certain victims	<ul style="list-style-type: none"> • 1st or 2nd conviction: two to 20 years in prison • Subsequent conviction: felony, 10 to 20 years in prison
Minnesota (Minn. Stat. §§ 609.2242 and .2247)	Domestic assault	<ul style="list-style-type: none"> • Intentionally causing a family or household member to fear immediate bodily harm or death • Intentionally inflicting or attempting to inflict bodily harm on a family or household member 	<ul style="list-style-type: none"> • Misdemeanor (up to 90 days in prison, a fine of up to \$1,000, or both) • If within 10 years of a prior domestic violence-related conviction: gross misdemeanor punishable by up to one year in prison, a fine of up to \$3,000, or both • If within 10 years of two prior domestic violence-related convictions: felony punishable by up to five years in prison, a fine of up to \$10,000, or both

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Domestic assault by strangulation	Assaulting a family or household member by strangulation	<ul style="list-style-type: none"> Felony punishable by up to three years in prison, a fine of up to \$5,000, or both
Missouri (Mo. Rev. Stat. § 565.072 et seq.)	1 st degree domestic assault	Attempting to kill or knowingly causing or attempting to cause serious physical injury to a family or household member	<ul style="list-style-type: none"> 1st conviction: class B felony (up to five to 15 years in prison) If inflict serious physical injury or 2nd conviction: class A felony (10 to 30 years in prison or life imprisonment)
	2 nd degree domestic assault	When the victim is a family or household member: <ul style="list-style-type: none"> attempting to cause or knowingly causing physical injury recklessly causing serious physical injury recklessly causing physical injury with a deadly weapon 	Class C felony (up to seven years in prison, a fine of up to \$5,000, or both)
	3 rd degree domestic assault	When the victim is a family or household member: <ul style="list-style-type: none"> attempting to cause or recklessly causing physical injury causing physical injury with criminal negligence using a deadly weapon or dangerous instrument purposely placing the victim in apprehension of immediate physical injury recklessly creating a grave risk of death or serious physical injury knowingly causing physical contact knowing the victim will consider it offensive knowingly attempting to cause or causing the victim's isolation by unreasonably and substantially restricting the victim's access to people, telecommunication devices, or transportation 	<ul style="list-style-type: none"> 1st or 2nd conviction: class A misdemeanor (up to one year in prison, a fine of up to \$1,000, or both) Subsequent conviction: class D felony (up to four years in prison, a fine of up to \$5,000, or both)
Montana (Mont. Code § 45-5-206)	Partner or family member assault	Intentionally causing bodily injury, negligently causing bodily injury with a weapon, or intentionally causing reasonable apprehension of bodily injury to a partner or family member	<ul style="list-style-type: none"> 1st conviction: 24 hours to one year in prison and a fine of \$100 to \$1,000 2nd conviction: 72 hours to one year in prison and a fine of \$300 to \$1,000 Subsequent conviction: 30 days to five years in prison and a fine of \$500 to \$50,000
Nebraska (Neb. Rev. Stat. § 28-323)	1 st degree domestic assault	Intentionally causing serious bodily injury to an intimate partner	<ul style="list-style-type: none"> 1st conviction: class III felony (one to 20 years in prison, a fine of up to \$25,000, or both) Subsequent conviction: class II felony (one to 50 years in prison)

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	2 nd degree domestic assault	Intentionally causing bodily injury to an intimate partner with a dangerous instrument	<ul style="list-style-type: none"> 1st conviction: class III A felony (up to five years in prison, a fine of up to \$10,000, or both) Subsequent conviction: class III felony (see penalty above)
	3 rd degree domestic assault	Intentionally causing or threatening imminent bodily injury to an intimate partner or threatens an intimate partner in a menacing way	<ul style="list-style-type: none"> 1st conviction: class I misdemeanor (up to one year in prison, a fine of up to \$1,000, or both) Subsequent conviction of causing or threatening bodily injury: class IV felony (up to five years in prison, a fine of up to \$10,000, or both)
New Mexico (NM Stat. § 30-3-12 et seq.)	Assault against a household member	Attempting to commit battery against a household member or an unlawful act, threat, or menacing conduct that causes a household member to reasonably believe he or she is in danger of an immediate battery	Petty misdemeanor (up to six months in prison, a fine of up to \$500, or both)
	Aggravated assault against a household member	<ul style="list-style-type: none"> Assaulting or striking a household member with a deadly weapon Intentionally assaulting a household member with intent to commit a felony 	4 th degree felony (up to 18 months in prison, a fine of up to \$5,000, or both)
	Assault against a household member with intent to commit a violent felony	Assaulting a household member intending to commit murder or certain other violent crimes	3 rd degree felony (up to three years in prison, a fine of up to \$5,000, or both)
	Battery against a household member	Unlawful, intentional touching or use of force against a household member in a rude, insolent, or angry manner	Misdemeanor (up to one year in prison, a fine of up to \$1,000, or both)
	Aggravated battery against a household member	Unlawfully touching or using force against a household member with intent to injure	Misdemeanor or 3 rd degree felony depending on the harm caused or whether a deadly weapon was involved
	Multiple convictions of battery or aggravated battery	Enhances penalties due to prior convictions of battery against a household member or the misdemeanor version of aggravated battery against a household member	<ul style="list-style-type: none"> 3rd conviction: 4th degree felony 4th conviction: 3rd degree felony

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
Ohio (Ohio Rev. Code § 2919.25)	Domestic violence	When the victim is a family or household member: <ul style="list-style-type: none"> • Knowingly causing or attempting to cause physical harm • Recklessly causing serious physical injury • By threat of force, knowingly causing the victim to believe the actor will cause imminent physical harm 	<ul style="list-style-type: none"> • When physical injury involved: <ul style="list-style-type: none"> ○ 1st conviction: 1st degree misdemeanor (up to 180 days in prison, a fine of up to \$1,000, or both) ○ if prior conviction of this or certain other crimes: 4th degree felony (six to 18 months in prison, a fine of up to \$5,000, or both) ○ if the offender knew the victim was pregnant: 5th degree felony (six to 12 months in prison, a fine of up to \$2,500, or both) • When threats involved: <ul style="list-style-type: none"> ○ 1st conviction: 4th degree misdemeanor (up to 30 days in prison, a fine of up to \$250, or both) ○ if prior conviction of this or certain other crimes: 2nd degree misdemeanor (up to 90 days in prison, a fine of up to \$750, or both) ○ if the offender knew the victim was pregnant: 3rd degree misdemeanor (up to 60 days in prison, a fine of up to \$500, or both) • Certain mandatory minimums apply when the victim is pregnant

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
Oklahoma (OK Stat. § 21-644 and -644.1)	Domestic abuse	Committing assault and battery against certain victims	<ul style="list-style-type: none"> • 1st conviction: up to one year in jail, a fine of up to \$5,000, or both • Subsequent conviction: up to four years in prison, a fine of up to \$5,000, or both • If knowingly committed against a pregnant woman: <ul style="list-style-type: none"> ○ 1st conviction: misdemeanor, punishable by up to one year in jail ○ Subsequent conviction: felony, punishable by up to 10 years in prison ○ If miscarriage occurs or unborn child injured: up to 20 years in prison • If great bodily injury results: felony, punishable by up to one year in jail or 10 years in prison • If committed in a child's presence: <ul style="list-style-type: none"> ○ 1st conviction: six months to one year in jail, a fine of up to \$5,000, or both ○ Subsequent conviction: one to five years in prison, a fine of up to \$7,000, or both
	Domestic assault or domestic assault and battery with a dangerous weapon	Committing assault and battery against certain victims with a dangerous weapon and intending to do bodily harm	<ul style="list-style-type: none"> • Felony, punishable by up to one year in jail or up to 10 years in prison
	Domestic assault and battery with a deadly weapon	Shooting certain victims with a deadly weapon likely to produce death	<ul style="list-style-type: none"> • Felony, punishable by up to life in prison
	Domestic abuse by strangulation	Committing assault and battery with intent to cause great bodily harm by strangulation or attempted strangulation of certain victims	<ul style="list-style-type: none"> • 1st conviction: one to three years in prison, a fine of up to \$3,000, or both • Subsequent conviction: three to 10 years in prison, a fine of up to \$20,000, or both

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Domestic abuse with a prior pattern of physical abuse	Committing domestic abuse with three separate incidences within six months related to assault, battery, or abuse of certain people, as established by admissible evidence independent of the victim's testimony	Felony, punishable by up to 10 years in prison, a fine of up to \$5,000, or both
South Carolina (SC Code §§ 16-3-615 and 16-25-65)	Spousal sexual battery	Committing the crime of sexual battery through aggravated force against a spouse when living together	<ul style="list-style-type: none"> Up to 10 years in prison
	Criminal domestic violence	Causing physical harm to a household member or offering or attempting to do so with apparent ability to do so and reasonably creating fear of imminent peril	<ul style="list-style-type: none"> 1st conviction: misdemeanor, punishable by up to 30 days in prison or a fine of \$1,000 to \$2,500 2nd conviction of this or certain other crimes within 10 years: misdemeanor, punishable by up to a one year in prison with a 30-day mandatory minimum and a fine of \$2,500 to \$5,000 Subsequent conviction of this or certain other crimes within 10 years: felony, punishable by up to five years in prison with a one-year mandatory minimum
	Criminal domestic violence of a high and aggravated nature	Committing criminal domestic violence and (1) committing assault and battery with a deadly weapon or resulting in serious injury or (2) reasonably causing the victim to fear imminent serious bodily injury or death	Felony, punishable by a mandatory minimum one year up to 10 years in prison
Tennessee (Tenn. Code § 39-13-111)	Domestic assault	Committing the crime of assault against certain victims	Punishable as assaults with different penalties depending on the conduct and prior convictions, with maximum prison sentences for domestic assault of less than one year
Utah (Ut. Stat. §§ 76-5-109.1 and 77-36-1.1)	Domestic violence in the presence of a child	In the presence of a child: <ul style="list-style-type: none"> committing or attempting to commit homicide against, intentionally causing serious bodily injury to, or using a dangerous weapon or other means likely to produce serious injury to a cohabitant committing certain other crimes when the victim is a cohabitant 	<ul style="list-style-type: none"> 3rd degree felony (up to five years in prison, a fine of up to \$5,000, or both) Class B misdemeanor when the conduct involves certain other crimes (up to six months in prison, a fine of up to \$1,000, or both)

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
	Enhancement of offense and penalty for subsequent domestic violence offenses	Violating certain criminal statutes when the victim is a cohabitant and the offender has a prior conviction of certain domestic violence offenses	Enhances the penalty for the current crime to a: <ul style="list-style-type: none"> • class B misdemeanor if the crime would otherwise be a class C misdemeanor • class A misdemeanor (up to one year in prison, a fine of up to \$2,500, or both) if the crime would otherwise be a class B misdemeanor • 3rd degree felony if the crime would otherwise be a class A misdemeanor
Virginia (Va. Code § 18.2-57.2)	Assault and battery against a family or household member	Committing the crime of assault and battery against a family or household member	<ul style="list-style-type: none"> • Class 1 misdemeanor (up to 12 months in jail, a fine of up to \$2,500, or both) • If two prior convictions of this or certain other crimes within 20 years: class 6 felony, punishable by one to five years in prison or up to 12 months in jail, a fine of up to \$2,500, or both

Table 1 (continued)

State (citation)	Crime	Conduct	Criminal Penalty
West Virginia (WV Code § 61-2-28)	Domestic violence	Domestic battery: intentionally making insulting or provoking physical contact with or intentionally causing physical harm to a household member	<ul style="list-style-type: none"> • 1st conviction: misdemeanor, punishable by up to 12 months in prison, a fine of up to \$500, or both • If a prior conviction of this or certain crimes: 60 days to one year in prison, a fine of up to \$1,000, or both • If a third conviction of this or certain crimes: felony, punishable by one to five years in prison, a fine of up to \$2,500, or both
		Domestic assault: attempting to violently injure a household member or place him or her in reasonable apprehension of a violent injury	<ul style="list-style-type: none"> • Misdemeanor, punishable by up to six months in prison, a fine of up to \$100, or both • If a prior conviction of certain crimes: 30 days to six months in prison, a fine of up to \$500, or both • If a 3rd conviction of this or certain crimes: felony, punishable by one to five years in prison, a fine of up to \$2,500, or both

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